

**FILED**

**NOT FOR PUBLICATION**

**OCT 22 2008**

**UNITED STATES COURT OF APPEALS**

**MOLLY C. DWYER, CLERK**  
**U.S. COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

**UNITED STATES OF AMERICA,**

Plaintiff - Appellant,

v.

**COMPREHENSIVE DRUG TESTING,  
INC.,**

Defendant - Appellee.

No. 05-10067

D.C. No. MISC-04-234-SI

**ORDER**

**MAJOR LEAGUE BASEBALL  
PLAYERS ASSOCIATION,**

Petitioner - Appellee,

v.

**UNITED STATES OF AMERICA,**

Respondent - Appellant.

No. 05-15006

D.C. No. CV-04-00707-JCM

**In re: SEARCH WARRANTS  
EXECUTED ON APRIL 8, 2004 AT  
CDT, INC.,**

No. 05-55354

D.C. No. CV-04-02887-FMC

**SEAL 1,**

Plaintiff - Appellant,

v.

**SEAL 2,**

Defendant - Appellee.

**KOZINSKI**, Chief Judge:

En banc oral argument will take place during the week of December 15, 2008, in Pasadena, California. The date and time will be set by separate order.

Within seven days from the date of this order, the parties shall forward to the Clerk of Court thirty additional copies of the original briefs and excerpts of record.